特許協力条約

РСТ

国際予備審査報告

REC'D 0 1 JUL 2004
WIPO PCT

(法第12条、法施行規則第56条) [PCT36条及びPCT規則70]

出願人又は代理人 の書類記号 NG03002PCT	今後の手続きについては、国際予備審査報告の送付通知(様式PCT/ IPEA/416)を参照すること。				
1	国際出願日 (日.月.年) 23.04.2003 優先日 (日.月.年) 26.04.2002				
国際特許分類 (IPC) Int. C	1' H04N7/173				
出願人 (氏名又は名称) 株式会社エヌティ	ーアイ				
1. 国際予備審査機関が作成したこの国	際予備審査報告を法施行規則第57条(PCT36条)の規定に従い送付する。				
2. この国際予備審査報告は、この表紙	を含めて全部で6 ページからなる。				
この国際予備審査報告には、附 査機関に対してした訂正を含む (PCT規則70.16及びPCTま この附属書類は、全部で	属書類、つまり補正されて、この報告の基礎とされた及び/又はこの国際予備審明細書、請求の範囲及び/又は図面も添付されている。 延施細則第607号参照) ページである。				
3. この国際予備審査報告は、次の内容	を含む。				
I X 国際予備審査報告の基礎					
Ⅱ □ 優先権					
 Ⅲ	この利用可能性についての国際予備審査報告の不作成				
IV X 発明の単一性の欠如					
_ の文献及び説明	る新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるため				
VI ある種の引用文献					
VII 国際出願の不備					
畑 国際出願に対する意見					
国際予備審査の請求書を受理した日 26.11.2003 国際予備審査報告を作成した日 09.06.2004					
名称及びあて先 日本国特許庁 (IPEA/JP) 郵便番号100-8915 東京都千代田区霞が関三丁目4番	特許庁審査官(権限のある職員) 5P 8725 菅原 道晴 3号 電話番号 03-3581-1101 内線 3580				



国際出願番号 PCT/IP03/05205

Ι.		国際予備審査報	祖生の甘跡			
					· · · · · · · · · · · · · · · · · · ·	
1.	þ	この国際予備 報 芯答するために P C T 規則70.	審査報告は下記の出願書類に基づいて作 こ提出された差し替え用紙は、この報告 16,70.17)	成され 書にお	た。 (法第6条 (PCT14条) 0 いて「出願時」とし、本報告書に	D規定に基づく命令に は添付しない。
	X	出願時の国際	吳出願書類			
		明細書 明細書	第 ペ	ージ、	出願時に提出されたもの	•
	_	明細書		ージ、 ージ、	国際予備審査の請求書と共に提出さ 付の書簡と	されたもの と共に提出されたもの
	Ш	請求の範囲 請求の範囲	第 第	_ 項、 - 項、	出願時に提出されたもの	
		請求の範囲	第 	_ '尽\ 	PU119条の規定に基づき補止さ 国際予備変本の禁む事と共に担い	されたもの
		請求の範囲	界	_ 項、	付の書簡と	共に提出されたもの
		図面	第 ページ	/図、	出願時に提出されたもの	
		図面 . 図面	第 ページ	/図、	国際予備審査の請求書と共に提出さ	られたもの
					出願時に提出されたもの 国際予備審査の請求書と共に提出さ 付の書簡と	
		明細書の配列	表の部分 第 ペー 表の部分 第 ペー	ージ、	出願時に提出されたもの	
		明細審の配列	『表の部分 第 ペー 『表の部分 第 ペー	ージ、	国際予備審査の請求書と共に提出さ	られたもの
		ウ100mmg-02回0分	表の部分 第 ペ	ージ、	付の書簡と	:共に提出されたもの
2.	ل	=記の出願書類	旬の言語は、下記に示す場合を除くほか、	この	国際出願の言語である。	
	L	=記の書類は、	下記の言語である語	である。	•	
	[] [PCT規	のために提出されたPCT規則23.1(b)に 則48.3(b)にいう国際公開の言語 審査のために提出されたPCT規則55.2			
З.	3		t、ヌクレオチド又はアミノ酸配列を含 <i>A</i>			査報告を行った。
	Г		出願に含まれる書面による配列表			,
	□ この国際出願と共に提出された磁気ディスクによる配列表					
	Ĭ		、この国際予備審査(または調査)機関			
	Ī		、この国際予備審査(または調査)機関			•
	Ĺ	一出願後にお	是出した書面による配列表が出願時にお	ルカスに	TONに做気ディスクによる配列表	
	<u>د</u>	骨の挺田が	いめつに			
	L	_」 書面による があった。	る配列表に記載した配列と磁気ディスク	による	配列表に記録した配列が同一である	る旨の陳述書の提出
4.		正により、下	記の書類が削除された。		•	
	\sqsubseteq	明細書	第		~~ <i>></i> >	
	Ц	請求の範囲	第 _ `			
•	Ш	図面	図面の第		ページ/図	
5.		れるので、そ	審査報告は、補充欄に示したように、神の補正がされなかったものとして作成しる判断の際に考慮しなければならず、オ	した。((PCT規則70.2(c) この補正を今	されたものと認めらむ差し替え用紙は上
			•			
•						
			•			



IV.	. 発明の単一性の欠如	
1.	. 請求の範囲の減縮又は追加手数料の納付の求めに対して、出願人は、	
•	請求の範囲を減縮した。	٠.
	直加手数料を納付した。	·
	□ 追加手数料の納付と共に異議を申立てた。	• •
	X 請求の範囲の減縮も、追加手数料の納付もしなかった。	
2 ⁻ .	. 国際予備審査機関は、次の理由により発明の単一性の要件を満たしていないと判断したが、PCT規 に従い、請求の範囲の減縮及び追加手数料の納付を出願人に求めないこととした。	見則68.1の規定
3.	. 国際予備審査機関は、PCT規則13.1、13.2及び13.3に規定する発明の単一性を次のように判断する。	
	満足する。	
	X 以下の理由により満足しない。	
	I. 請求の範囲1-19に記載される発明は、サーバを介して複数の情報収集装置と端のリンクをはり、端末装置の要求に基づいて複数の情報収集装置から動画情報を得て、の表示画面上に合成表示することに係るものである。 II. 請求の範囲20-22に記載される発明は、予め設定されたチャンネルから得たコを予め設定した。ウィンドウに表示することに係るものである。 III. 請求の範囲23、24に記載される発明は、クライアントとサーバとで複数の中継過させてパケット送信を行うに当たり、パフォーマンスを測定して通信経路を選択するるものである。 IV. 請求の範囲25、26に記載される発明は、ネットワークを介してクライアントとで通信を行う際に、ネットワークをバイパスさせることに係るものである。 V. 請求の範囲27-29に記載される発明は、ネットワークを介してクライアントとで通信を行う通信システムにおけるサーバが、ノードサーバとコンテンツサーバとを有に係るものである。 VI. 請求の範囲30に記載される発明は、ネットワークを介してクライアントとサーバを行う通信システムにおいてクライアントからのアクセス頻度に応じてコンテンツサーコンテンツをキャッシュすることに係るものである。 したがって、請求の範囲全てに共通の事項はなく、また、ネットワークを介してクラとサーバとで通信を行う通信システム自体は証拠を挙げるまでもなく周知のものであってがの域を出ないから、当該通信システムは、PCT規則13.2の第2文の意味におい技術的特徴ではない。	端 ン 装こ サ サす とバ イてて末 テ 置と ー ーる でか ア先特装 ン をに バ バこ 通ら ン行別置 ツ 通係 と とと 信の ト技な
	そして、これら6つの発明群が単一の一般的発明概念を形成するように関連している 明であるとは認められない。	一群の発
•		
4.	. したがって、この国際予備審査報告書を作成するに際して、国際出願の次の部分を、国際予備審査の対	対象にした。
	□ すべての部分	
	X 請求の範囲	に関する部分



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v.	新規性文献及	き、進步 とび説明	 	の利用可能性について	での法第12条	(РСТЗ5条(2))	に定める見解、	それを裏付ける
1.	見解						1	
	新規性	(N)		請求の範囲 請求の範囲	1-19			有 無
	進歩性((IS)		請求の範囲		,		+

産業上の利用可能性 (IA)

請求の範囲 請求の範囲

請求の範囲 1-19

右

文献及び説明(PCT規則70.7)

文献1: JP 11-88419 A (ソニー株式会社)

1999. 03. 30

文献2: JP 11-68744 A (株式会社ピー・アイ・イー)

1999. 03. 09

'請求の範囲1

文献1のマルチメディアサーバは請求の範囲1の情報収集装置に、検索サーバはサーバに、端末装 置は端末装置にそれぞれ相当するものである。

文献2のコンテンツサーバは請求の範囲1の情報収集装置に、端末管理サーバはサーバに、マルチ メディア端末は端末装置にそれぞれ相当するものである。

したがって、請求の範囲1には新規性・進歩性は認められない。

請求の範囲2、4、5、6

文献1の34、35段落には、検索サーバは端末装置からの検索要求を受け取り、検索結果を端末 装置に配信する旨記載されている。また、49~51段落には、端末装置はURLに基づいて選択さ れた動画像情報が蓄積されているマルチメディアサーバに接続として、動画像情報の配信を受ける旨 記載されている。

文献2の49段落には、マルチメディア端末からの要求があると端末管理サーバはコンテンツサー バに配信要求を取り次ぎ、要求元のマルチメディア端末にコンテンツを配信する旨記載されている。 したがって、請求の範囲2、4、5、6には新規性・進歩性は認められない。

請求の範囲3

文献1の37段落には、マルチメディアサーバは検索サーバの要求に応じて検索結果を検索サーバ に返し、端末装置からの再生要求に応じて動画情報を配信する旨記載されている。

文献2の49段落には、端末管理サーバはマルチメディア端末からの要求をコンテンツサーバにに 取り次いでコンテンツを配信する旨、51段落及び第5図には、端末管理サーバは、コンテンツを保 有しているマルチメディア端末に対して、要求元のマルチメディア端末にコンテンツを配信するよう に依頼する旨記載されている。

したがって、請求の範囲3には新規性・進歩性は認められない。

請求の範囲7、10、12、13、14、17

請求の範囲7、10、12、13、14、17は、請求の範囲1の情報提供方法の一部を、情報処 理装置として表現するものであり、請求の範囲1と同様の理由で、進歩性・新規性のいずれも認めら れない。



国際出願番号 PCT/JP03/05205

VI.	ある種の引用文献

JP

1. ある種の公表された文書 (PCT規則70.10)

出願番号	公知日	出願日	優先日(有効な優先権の主張)
特許番号	_(日.月.年)	(日.月.年)	(日、月、年)
2003-18581. [PX]	2003. 01. 17	2001. 07. 02	

2. 魯面による開示以外の開示 (PCT規則70.9)



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補充欄 (いずれかの欄の大きさが足りない場合に使用すること)

第 V 欄の続き

請求の範囲8、11、15、18

請求の範囲8、11、15、18は、請求の範囲4の情報提供方法を、情報処理装置として表現するものであり、請求の範囲4と同様の理由で、進歩性・新規性のいずれも認められない。

請求の範囲9、16、19

請求の範囲9、16、19は、請求の範囲5の情報提供方法を、情報処理装置として表現するものであり、請求の範囲5と同様の理由で、進歩性・新規性のいずれも認められない。

Translation





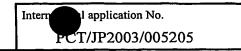
PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference NG03002PCT FOR FURTHER ACTION See Notification of Transmittal of Internal Preliminary Examination Report (Form PCT/IPEA)					
International application No. PCT/JP2003/005205	International filing date (day/month/year) 23 April 2003 (23.04.2003)	Priority date (day/month/year) 26 April 2002 (26.04.2002)			
International Patent Classification (IPC) or na H04N 7/173	ational classification and IPC				
Applicant	NTI, INC.				
This international preliminary examinant and is transmitted to the applicant action.	ination report has been prepared by this Inter- ecording to Article 36.	national Preliminary Examining Authority			
2. This REPORT consists of a total of	6 sheets, including this cover	sheet.			
amended and are the basis fo	ied by ANNEXES, i.e., sheets of the descript r this report and/or sheets containing rectific Administrative Instructions under the PCT).	ion, claims and/or drawings which have been ations made before this Authority (see Rule			
These annexes consist of a to	otal of sheets.				
This report contains indications relating to the following items:					
I Basis of the report	I 🔀 Basis of the report				
II Priority					
III Non-establishment	of opinion with regard to novelty, inventive s	tep and industrial applicability			
IV Lack of unity of inv	vention				
V Reasoned statemen citations and explan	t under Article 35(2) with regard to novelty, inations supporting such statement	inventive step or industrial applicability;			
VI Certain documents	cited				
VII Certain defects in t	he international application				
VIII Certain observations on the international application					
Date of submission of the demand	Date of completion	of this report			
26 November 2003 (26.	11.2003)	9 June 2004 (09.06.2004)			
Name and mailing address of the IPEA/JP	Authorized officer				
Facsimile No.	Telephone No.				





I. Basis of the report						
1. With	regard to the elements of the international application:*					
\boxtimes	the international application as originally filed					
\Box	the description:					
	pages , as originally filed					
	pages, filed with the demand					
	pages, filed with the letter of					
	the claims:					
	pages, as originally filed					
	pages, as amended (together with any statement under Article 19					
	pages, filed with the demand					
	pages, filed with the letter of					
	the drawings:					
	as originally filed					
	pages, as originally med, filed with the demand					
	pages, filed with the letter of					
ľ	the sequence listing part of the description:					
	pages, as originally filed					
]	pages, filed with the demand pages, filed with the letter of					
1	, med with the letter of					
the in	regard to the language, all the elements marked above were available or furnished to this Authority in the language in which international application was filed, unless otherwise indicated under this item. The elements were available or furnished to this Authority in the following language which is:					
IЩ	the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).					
▎ٰٰ	the language of publication of the international application (under Rule 48.3(b)).					
	the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/ or 55.3).					
3. With	h regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international iminary examination was carried out on the basis of the sequence listing:					
▎ٰ	contained in the international application in written form.					
lЦ	filed together with the international application in computer readable form.					
<u> </u>	furnished subsequently to this Authority in written form.					
│	furnished subsequently to this Authority in computer readable form.					
	The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.					
	The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.					
4.	The amendments have resulted in the cancellation of:					
	the description, pages					
1	the claims, Nos.					
	the drawings, sheets/fig					
5.	This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**					
in t	lacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to his report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 70.17).					
	replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.					

INTERNATIONAL PRELIM RY EXAMINATION REPORT

Internationa	l application No.
	СТ/ЈР03/05205

and a terminal device are linked with each other through a server, and (2) moving image information is obtained from the plural information collecting devices based on a request of the terminal device, and is synthesized and displayed on the display screen of the terminal device. II. The subject matters of claims 20-22 relate to a constitution in which the content obtained from a preset channel is displayed on a preset window. III. The subject matters of claims 23 and 24 relate to a constitution in which when a client and a server transmit packets to each other through plural relay devices, performance is measured to select the communication route. IV. The subject matters of claims 25 and 26 relate to a constitution in which when a client and a server communicate with each other through a network, the network is bypassed. V. The subject matters of claims 27-29 relate to a constitution in which in a communication system where a client and a server communicate with each other through a network, the server has a node server and a content server. VI. The subject matter of claim 30 relates to a constitution in which in a communication system where a client and a server communicate with each other through a network, the content from the content server is cached depending on the access frequency from the client. Therefore, there is no matter common to all the claims, and the communication system where a client and a server communicate with each other through a network per se is well known and belongs to the prior art. So, the said communication system is not a special technical feature in the sense of the second sentence of PCT Rule 13.2. It is not considered that the group of these six inventions is a group of inventions so linked as to form a	IV. Lack of unity of invention				
paid additional fees. paid additional fees under protest. neither restricted nor paid additional fees. 2. This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, 3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is complied with. not complied with for the following reasons: I. The subject matters of claims 1-19 relate to a constitution in which (1) plural information collecting devices and a terminal device are linked with each other through a server, and (2) moving image information is obtained from the plural information collecting devices based on a request of the terminal device, and is synthesized and displayed on the display screen of the terminal device, and is synthesized and displayed on the display screen of the terminal device. II. The subject matters of claims 20-22 relate to a constitution in which the content obtained from a preset channel is displayed on a preset window. III. The subject matters of claims 23 and 24 relate to a constitution in which when a client and a server transmit packets to each other through plural relay devices, performance is measured to select the communication route. IV. The subject matters of claims 25 and 26 relate to a constitution in which when a client and a server communicate with each other through a network, the network is bypassed. V. The subject matters of claims 27-29 relate to a constitution in which in a communication system where a client and a server communicate with each other through a network, the content from the content server is cached depending on the access frequency from the client. Therefore, there is no matter common to all the claims, and the communication system where a client and a server communicate with each other through a network per se is well known and belongs to the prior art. So, the said communication system is not a special technical feature in the sense of the second sentence of PCT Rule 13.2	1. In response to the invitation to restrict or pay additional fees the applicant has:				
paid additional fees under protest. In either restricted nor paid additional fees. This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is complied with. not complied with for the following reasons: I. The subject matters of claims 1-19 relate to a constitution in which (1) plural information collecting devices and a terminal device are linked with each other through a server, and (2) moving image information is obtained from the plural information collecting devices based on a request of the terminal device, and is synthesized and displayed on the display screen of the terminal device. II. The subject matters of claims 20-22 relate to a constitution in which the content obtained from a preset channel is displayed on a preset window. III. The subject matters of claims 23 and 24 relate to a constitution in which when a client and a server transmit packets to each other through plural relay devices, performance is measured to select the communication route. IV. The subject matters of claims 25 and 26 relate to a constitution in which when a client and a server communicate with each other through a network, the network is bypassed. V. The subject matters of claims 27-29 relate to a constitution in which in a communication system where a client and a server communicate with each other through a network, the content from the content server and a content server. VI. The subject matter of claim 30 relates to a constitution in which in a communication system where a client and a server communicate with each other through a network, the content from the content server is cached depending on the access frequency from the client. Therefore, there is no matter common to all the claims, and the communication system where a client and a server communicate with each other through a network per se is well known and belongs to the prior ar	restricted the claims.				
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	 Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report: 				
the parts relating to claims Nos	ali parts.				
	the parts relating to claims Nos				

International application No.	
Т/ЈР03/05205	

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement			
1. Statement			
Novelty (N)	Claims		YES
	Claims	1-19	NO
Inventive step (IS)	Claims		YES
	Claims	1-19	NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO

2. Citations and explanations

Document 1: JP, 11-88419, A (Sony Corp.), 30 March, 1999 (30.03.99) Document 2: JP, 11-68744, A (K.K. PIE), 9 March, 1999 (09.03.99)

Claim 1

The multimedia server, retrieval server and terminal device of document 1 respectively correspond to the information collecting device, server and terminal device of claim 1.

The content server, terminal management server and multimedia terminal of document 2 respectively correspond to the information collecting device, server and terminal device of claim 1.

Therefore, the subject matter of claim 1 does not appear to be novel or to involve an inventive step.

Claims 2 and 4-6

Document 1 (paragraphs 34 and 35) describes to the effect that a retrieval server receives a retrieval request from a terminal device and distributes the retrieval result to the terminal device. Furthermore, the document (paragraphs 49-51) describes to the effect that a terminal device is connected to a multimedia server where the moving image information selected based on URLs is stored, to get the moving image information distributed.

Document 2 (paragraph 49) describes to the effect that upon receiving a request from a multimedia terminal, a terminal management server transmits a distribution request to a content server, for distributing the content to the requesting multimedia terminal.

Therefore, the subject matters of claims 2 and 4-6 do not appear to be novel or to involve an inventive step.

Claim 3

Document 1 (paragraph 37) describes to the effect that a multimedia server returns the retrieval result to a retrieval server in response to the request of a retrieval server, and distributes moving image information in response to a reproduction request from a terminal device.

Document 2 (paragraph 49) describes to the effect that a terminal management server transmits a request from a multimedia terminal to a content server, for distributing a content, and the document (paragraph 51 and Fig. 5) describes to the effect that the terminal management server asks the multimedia terminal owning the content to distribute the content to the requesting multimedia terminal.

Therefore, the subject matter of claim 3 does not appear to be novel or to involve an inventive step.

Claims 7, 10, 12-14 and 17

The subject matters of claims 7, 10, 12-14 and 17 express part of the information providing method of claim 1 as an information processing device, and do not appear to be novel or to involve an inventive step for the same reason as stated for claim 1.

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l. Certain do	cuments cited .						
Certain publ	ished documents (I	Rule 70.10)					
Appl Pa	ication No. atent No.	Publication day/month/ye		Filing date (day/month/year)	_	Priority date (valid (day/month/yed	claim) ar)
	2003-18581	2003.01.1	 17	2001.07.02			
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Continuation of: V.2

Claims 8, 11, 15 and 18

The subject matters of claims 8, 11, 15 and 18 express the information providing method of claim 4 as an information processing device, and do not appear to be novel or to involve an inventive step for the same reason as stated for claim 4.

Claims 9, 16 and 19

The subject matters of claims 9, 16 and 19 express the information providing method of claim 5 as an information processing device, and do not appear to be novel or to involve an inventive step for the same reason as stated for claim 5.